

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

TOUCHCOM TECHNOLOGIES, INC.,

Plaintiff,

v.

BERESKIN & PARR AND
H. SAMUEL FROST,

Defendants.

Civil Action No. 1:07-cv-00114

DEFENDANTS' EXHIBIT LIST

In accordance with Rule 26(a)(3)(A)(iii) and the Court's Order setting pretrial deadlines (ECF No. 222), Bereskin & Parr and H. Samuel Frost (collectively, "B&P") submit the following list of exhibits.

No.	Previous Designation	Description	Offer	
			Expect	If Need Arises
1	Wakim deposition (in this lawsuit) exhibit 45	Touchcom Technologies, Inc. Articles of Incorporation	X	
2	Hollidge deposition (in this lawsuit) exhibit 8	Touchcom Technologies, Inc./Dresser, Inc. Royalty Agreement	X	
3	Frost deposition (in this lawsuit) exhibit 36	Invoices to Touchcom, Inc.	X	
4	Frost deposition (in this lawsuit) exhibit 37	Cash Receipts Report	X	
5	Frost deposition exhibit (in this lawsuit) 34	List of Touchcom, Inc. matter numbers	X	
6	Martinez deposition (in this lawsuit) exhibit 7	Ovation Wiring Diagram	X	
7	Frost deposition (in this lawsuit) exhibit 26	Letter from Sam Frost to Peter Hollidge (8/18/87)	X	
8	Frost deposition (in this lawsuit) exhibit 35	Declaration of Inventorship	X	
9	Invalidity Expert Report of Jack Grimes (6/25/10), Appendix D	CV of Steven Bond	X	

No.	Previous Designation	Description	Offer	
			Expect	If Need Arises
10	Hollidge deposition (in this lawsuit) exhibit 13	Project Scope proposal	X	
11	TCVA 00068751–TCVA 00068792	Letter from Amy Wilson to Peter Hollidge enclosing Gilbarco Business Assessment (Aug. 24, 1990)	X	
12	Wakim deposition (in this lawsuit) exhibit 29	Fax from Sam Wakim to Rollie White, enclosing email from Peter Hollidge to Sam Wakim (4/9/96)	X	
13	TCVA 00069733–TCVA 00069735	Email from Peter Hollidge to Sam Wakim (Aug. 13, 1996)	X	
14	Wakim deposition (in this lawsuit) exhibit 28	(ASW) Notes	X	
15	TCVA 00023266–TCVA 00023267	Email from Peter Hollidge to Sam Wakim (Aug. 18, 1999)	X	
16	DRES 005020–DRES 005020	Letter from James Hilton to Douglas Pinner (August 18, 1999)	X	
17	Wakim deposition (in this lawsuit) exhibit 37	Checks from Sam Wakim to B&P	X	
18	Jaired Ellard deposition (in the Dresser lawsuit) exhibit 5 (DI00789–DI00809)	U.S. Patent No. 3,391,497	X	
19	Jaired Ellard deposition (in the Dresser lawsuit) exhibit 1 (DI15905–DI15918)	Docutel Corporation’s “ARCO II Automated Service Stations System Evaluation”	X	
20	Jaired Ellard deposition (in the Dresser lawsuit) exhibit 1 (D46556–D46557)	Photographs of dispensers	X	
21	Produced by Carl Bruce of Fish & Richardson by email on 6/9/10	Right of First Refusal Agreement	X	
22	Frost deposition (in this lawsuit) exhibit 6	Letter from Robert Storey to Peter Hollidge (12/5/91)		X
23	BP 006331–BP 0063354	Documents related to Sam Wakim’s proposed Touchcom reorganization		X

No.	Previous Designation	Description	Offer	
			Expect	If Need Arises
24	BP 000963–BP 000967	Handwritten notes		X
25	Frost deposition (in this lawsuit) exhibit 23	282 patent (without Schedules A and B)		X
26	BP 009011–BP 009696	282 Patent (unabridged)		X
27	BP 007898–BP 009010	USPTO file history		X
28	BP 015980–BP 017331	PCT file history		X
29	TCVA 00086521–TCVA 00086521	Assignment of patent to Touchcom, Inc.	X	
30	BP 004399–BP 004399	Memorandum from Melissa Shantz to File (10/24/97)		X
31	Frost deposition (in this lawsuit) exhibit 8	Letter from Sam Frost to Elaine Bloxsome (10/27/97)		X
32	DRES 006231–DRES 006287	Touch Screen Project History	X	
33	BP 005993–BP 005993	Letter from B&P to Peter Hollidge (5/13/94)		X
34	BP 005995–BP 005995	Handwritten notes		X
35	BP 005994–BP 005994	Touchcom Technologies, Inc. check to B&P (9/9/94)		X
36	TCVA 00094000–TCVA 00094000	Letter from B&P to Peter Hollidge (11/11/94)		X
37	TCVA 00093999–TCVA 00093999	Letter from B&P to Peter Hollidge (11/18/94)		X
38	TCVA 00093986–TCVA 00093986	Letter from B&P to Peter Hollidge (12/19/94)		X
39	TCVA 00094275–TCVA 00094275	Letter from B&P to Peter Hollidge (10/27/98)		X
40	TCVA 00094259–TCVA 00094259	Letter from B&P to Peter Hollidge (1/7/99)		X
41	TCVA 00094274–TCVA 00094274	Letter from B&P to Peter Hollidge (4/22/99)		X
42	TCVA 00094272–TCVA 00094272	Letter from B&P to Peter Hollidge (2/15/2000)		X
43	TCVA 00084390–TCVA 00084390	Letter from B&P to Peter Hollidge (9/30/02)		X
44	Frost deposition exhibit 9	Statutory Declaration of Sam Frost (6/8/05)		X

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			Expect	If Need Arises
45	TCVA00050308– TCVA00050314	Opposition to Motion to Compel in Touchcom v. Dresser	X	
46	TCVA00050321– TCVA00050322	Statutory Declaration of Peter Hollidge	X	
47	Frost deposition (in this lawsuit) exhibit 17	Letter from Sam Frost to Peter Hollidge (2/1/89)		X
48	Frost deposition (in this lawsuit) exhibit 18	Handwritten notes		X
49	Frost deposition (in this lawsuit) exhibit 21	Letter from Sam Frost to Peter Hollidge (12/17/98)		X
50	Frost deposition (in this lawsuit) exhibit 22	Letter from Sam Frost to Sam Wakim (3/17/99)		X
51	Frost deposition (in this lawsuit) exhibit 33	Letter from Sam Frost to Peter Hollidge (5/16/88)		X
52	Hollidge deposition (in this lawsuit) exhibit 1	Touchcom, Inc./Touchcom Technologies, Inc. License Agreement		X
53	Hollidge deposition (in this lawsuit) exhibit 2	Waiver of notice of 9/30/03 Touchcom, Inc. board meeting		X
54	Hollidge deposition (in this lawsuit) exhibit 3	Notice that Touchcom, Inc. board meeting will be held on 9/30/03		X
55	Hollidge deposition (in this lawsuit) exhibit 4	Amendment to Touchcom, Inc./Touchcom Technologies, Inc. License Agreement		X
56	Hollidge deposition (in this lawsuit) exhibit 7	Agreement for Consulting Services (3/1/97)		X
57	Hollidge deposition (in this lawsuit) exhibit 9	Letter from Sam Frost to Peter Hollidge (6/16/87)		X
58	Hollidge deposition (in this lawsuit) exhibit 10	Letter from Sam Frost to Margaret Disher (7/31/89)		X
59	Hollidge deposition (in this lawsuit) exhibit 11	Touchcom, Inc. board minutes (1/16/87)		X
60	Hollidge deposition (in this lawsuit) exhibit 12	Touchcom, Inc. board minutes (6/10/87)		X
61	Hollidge deposition (in this lawsuit) exhibit 12A	Touchcom, Inc. board minutes (6/10/87)		X
62	Wakim deposition (in this lawsuit) exhibit 4	Letter of credit from Royal Bank of Canada (10/18/88)		X
63	Wakim deposition (in this lawsuit) exhibit 5	Letter from Peter Hollidge to Ford Ralph (1/5/89)		X

No.	Previous Designation	Description	Offer	
			Expect	If Need Arises
64	Wakim deposition (in this lawsuit) exhibit 9	Letter from Sam Wakim to Peter Hollidge (11/28/91)		X
65	Wakim deposition (in this lawsuit) exhibit 10	Letters of Intent (5/11/89 and 5/31/89)		X
66	Wakim deposition (in this lawsuit) exhibit 11	Email from Bob Simpson to Sam Wakim (9/30/03)		X
67	Wakim deposition (in this lawsuit) exhibit 12	Email from Sam Wakim to Peter Hollidge (9/30/03)		X
68	Wakim deposition (in this lawsuit) exhibit 13	Touchcom, Inc. board minutes (12/19/03)		X
69	Wakim deposition (in this lawsuit) exhibit 14	Letter from Ronald Miller to Robert Simpson (11/26/03)		X
70	Wakim deposition (in this lawsuit) exhibit 15	Touchcom Technologies, Inc. shareholder ledger		X
71	Wakim deposition (in this lawsuit) exhibit 16	Touchcom Technologies, Inc. shareholder register		X
72	Wakim deposition (in this lawsuit) exhibit 17	Handwritten notes		X
73	Wakim deposition (in this lawsuit) exhibit 18	Email from Sam Wakim to Andrew dePass (8/17/99)		X
74	Wakim deposition (in this lawsuit) exhibit 19	Letter from Sam Wakim to Alvin Flood (1/22/99)		X
75	Wakim deposition (in this lawsuit) exhibit 20	Letter from Dick Diemer to Peter Hollidge (1/8/99)		X
76	Wakim deposition (in this lawsuit) exhibit 21	Letter from P.L. Vlaskamp to Peter Hollidge (10/26/87)		X
77	Wakim deposition (in this lawsuit) exhibit 22	Memo from Sam Wakim to Rollie White (5/8/96)		X
78	Wakim deposition (in this lawsuit) exhibit 25	Memo from Peter Hollidge to Sam Wakim (n.d.)		X
79	Wakim deposition (in this lawsuit) exhibit 26	Letter from Sam Wakim to Erez and Alon Goren (8/21/98)		X
80	Wakim deposition (in this lawsuit) exhibit 27	Letter from Sam Wakim to Gordon Thompson (8/22/98)		X
81	Wakim deposition (in this lawsuit) exhibit 33	Email from Sam Wakim to Ron Brown (12/3/01)		X
82	Wakim deposition (in this lawsuit) exhibit 34	Fax from Michael Dockterman to Sam Wakim (3/11/02)		X
83	Wakim deposition (in this lawsuit) exhibit 35	Statement of Claim in Touchcom, Inc. v. Dresser Wayne DI Canada Inc.		X

No.	Previous Designation	Description	Offer	
			Expect	If Need Arises
84	Wakim deposition (in this lawsuit) exhibit 36	Letter from Sam Wakim to Thomas Ring (11/28/02)		X
85	Wakim deposition (in this lawsuit) exhibit 38	Weir Foulds invoices to Touchcom Technologies, Inc.		X
86	Wakim deposition (in this lawsuit) exhibit 39	Weir Foulds invoices to Touchcom Technologies, Inc.		X
87	Wakim deposition (in this lawsuit) exhibit 40	Weir Foulds invoices to Touchcom Technologies, Inc.		X
88	Wakim deposition (in this lawsuit) exhibit 44	Touchcom, Inc. Articles of Incorporation		X
89	Hollidge deposition (in this lawsuit) exhibit 6	Touchcom Technologies, Inc. draft investment proposal		X
90	TCVA 00102771–TCVA 00102773	Touchcom Technologies, Inc. System Components (1/29/1990)		X
91	TCVA 00000896–TCVA 00000911	Touchcom Technologies, Inc. Business Development Strategy (1/91)		X
92	Wakim deposition (in this lawsuit) exhibit 24	Touchcom Technologies, Inc. Business Development Strategy (1/91)		X
93	BP 000244–BP 000250	delta Δ 5000 Touchcom		X
94	BP 001059–BP 001075	Touch Screen Communication System Technical Description		X
95	TCVA 00068460–TCVA 00068466	Touchcom Technologies, Inc. business plan (2/8/99)		X
96	TCVA 00069493–TCVA 00069498	An Interactive Approach to Improving the Bottom Line (Touchcom Technologies for Amoco Oil)		X
97	TCVA 00069649–TCVA 00069664	Executive Summary Touch Screen Dispensing & Media Services Development (TouchCom Technologies Inc. June 1998)		X
98	TA 000996–TA 001050	Touchcom Technologies Inc. Business Plan 1992–1995		X
99	TCVA 00024849–TCVA 00024853	The New Display Opportunity; TouchCom Technologies, Inc. (June 23, 1996)		X
100	TCVA 00023916–TCVA 00023927	Touchcom Technologies Business Development Plan		X

No.	Previous Designation	Description	Offer	
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101	TCVA 00025125–TCVA 00025134	Touchcom Technologies, Inc.; Status Report, Interactive Gasoline Dispensing Project (1995–1996)		X
102	TCVA 00024812–TCVA 00024825	Touchcom Technologies Business Development Plan		X
103	TCVA 00024475–TCVA 00024481	Executive Summary Touch Screen Dispensing & Media Services		X
104	TCVA 00000792–TCVA 00000835	TouchCom Technologies Inc. Business Plan November 1995		X
105	TCVA 00025229–TCVA 00025230	Memo from Peter Hollidge to Sam Wakim (9/24/98)		X
106	TCVA 00043615–TCVA 00043622	Arbitration Order (11/11/04)		X
107	TCVA 00086576–TCVA 00086579	Letter from Wes Musselman to John Letchinger (1/6/05)	X	
108	TCVA 00086582–TCVA 00086585	Letter from Wes Musselman to John Letchinger (1/6/05)		X
109	TCVA 00046218–TCVA 00046219	Letter from John Letchinger to Wes Mussleman (1-10-05)		X
110	TCVA 00053763–TCVA 00053764	Letter from John Letchinger to Wes Mussleman (1-10-05)		X
111	TCVA 00046221–TCVA 00046222	Letter from Wes Musselman to John Letchinger (1/18/05)		X
112	TCVA 00086574–TCVA 00086575	Letter from Wes Musselman to John Letchinger (1/19/05)		X
113	TCVA 00086572–TCVA 00086573	Letter from John Letchinger to Wes Mussleman (1-25-05)		X
114	TCVA 00086571–TCVA 00086571	Letter from Wes Musselman to John Letchinger (2/8/05)		X
115	TCVA 00086360–TCVA 00086361	Letter from John Ryan to John Letchinger (5/19/06)		X
116	Produced by Carl Bruce of Fish & Richardson by email on 6/9/10	Letter from Brett Johnson to John Letchinger (9/16/05)	X	
117	TCVA 00102910–TCVA 00102910	Email from John Letchinger to Mark Dukes (12/17/04)		X
118	TCVA 00102955–TCVA 00102965	Gilbarco Settlement Agreement	X	
119	TCVA 00102767–TCVA 00102768	Touchcom Settlement Proceeds Distribution Schedule		X

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120	TCVA 00102766–TCVA 00102766	Settlement Check from Touchcom Technologies, Inc. to Wildman Harrold		X
121	TCVA 00067213–TCVA 0006275	Email correspondence with Dresser, Inc. from Sam Wakim files		X
122	TCVA 00068167–TCVA 00068181	Letter from Sam Wakim to John Ryan (12/14/98)		X
123	TCVA 00041949–TCVA 00041985	Original Petition in Dresser		X
124	TCVA 00069487–TCVA 00069744	Touchcom Technologies Documents (compiled by Peter Hollidge)		X
125	TCVA 00069710–TCVA 00069711	Letter from Don McCall to Peter Hollidge (10/23/95)		X
126	Carmichael deposition exhibit 4	U.S. Patent No. 6,642,917		X
127	Carmichael deposition exhibit 5	U.S. Patent No. 6,606,067		X
128	Carmichael deposition exhibit 6	U.S. Patent No. 6,724,152		X
129	Report of Professor Paul M. Janicke (7/15/10)	CV of Paul Janicke	X	
130	Janicke deposition exhibit 16	David W. Brownlee, The Scope of Equivalents Under 35 U.S.C. § 112 P6 Should Vary Depending n Importance of the Means-Plus-Function Recitation to the Invention as a Whole, 81 J. Pat. & Trademark Soc’y 451 (1999)		X
131	Janicke deposition exhibit 18	J. Allison and M. Lemley, The Growing Complexity of the United States Patent System, 82 Boston U.L. Rev. 77 (2002)		X
132	Report of Professor Paul M. Janicke (7/15/10) ¶ 41 b	Peter Ehrenhaft, Comments on the American Bar Association’s Vote on PTO Rules Affecting Practice Before the Agency By Non-Resident Aliens, 74 Pat. Trademark & Copyrt. J. 507 (Aug. 24, 2007)		X
133	Report of Professor Paul M. Janicke (7/15/10) ¶ 41 b	PTO Final Rule for Patent Examiner Registration Tests, 69 Fed. Reg. 35428, 35450 (2004)		X

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			Expect	If Need Arises
134	Report of Professor Paul M. Janicke (7/15/10) ¶ 18	Paul Janicke, The Crisis in Patent Coverage: Defining Scope of An Invention By Function, 8 Harv. J.L. & Tech. 155 (1994)		X
135	BP 017332–BP 017333	Notes supporting Paul Janicke Report		X
136	BP 017334–BP 017334	Notes supporting Paul Janicke Report		X
137	DRES 010880–DRES 010881	Email from Ken Taylor to Peter Hollidge, et al. (8/18/99)		X
138	TCVA 00058013–TCVA 00058013	Email from Carl Cooper to Peter Hollidge (Sept. 14, 1999)		X
139	Wilkes deposition exhibit 6	Letter from Steven Bond to Robert Wilkes (7/7/87)		X
140	BP 015957–BP 015962	Email from Steven Bond to Robert Wilkes (8/2/87)		X
141	BP 004387–BP 004388	B&P invoice to Touchcom, Inc. (11/19/97)		X
142	Expert Report of Carla Mulhern exhibit 1	CV of Carla Mulhern	X	
143	D020745–D020790	Dresser Wayne Dispenser Equipment & Point-of-Sale System MSRP Pricing (Feb. 2005)	X	
144	D039370–D039418	Dresser Wayne – US Operations Financial Report – December 2003	X	
145	D039419–D039476	Dresser Wayne – US Operations Financial Report – December 2002	X	
146	D039477–D039505	Dresser Wayne – US Operations Financial Report – December 2001	X	
147	D039542–D039614	Dresser Wayne – US Operations Financial Report – December 2000	X	
148	D039615–D039696	Dresser Wayne – US Operations Financial Report – December 1999	X	
149	D039697–D039747	Dresser Wayne – US Operations Financial Report – Calendar Year 1998	X	
150	D039748–D039815	Dresser Wayne – US Operations Financial Report – October 1997	X	
151	D039816–D039880	Dresser Wayne – US Operations Financial Report – October 1996	X	

No.	Previous Designation	Description	Offer	
			Expect	If Need Arises
152	D039881–D039966	Dresser Wayne – US Operations Financial Report – October 1995	X	
153	DRES 010884–DRES 010884	Email from Ken Taylor to Peter Hollidge (June 7, 1999)	X	
154	DRES 010889–DRES 010891	Email from Ken Taylor to Peter Hollidge (May 20, 1999)	X	
155	DRES 011007–DRES 011008	Email from Ken Taylor to Peter Hollidge (July 15, 1999)	X	
156	TCVA 00088840–TCVA 00088841	Email from William Peoples to Sam Wakim (Oct. 29, 1999)	X	
157	DRES 011308–DRES 011310	Email from Ken Taylor to Peter Hollidge (Mar. 29, 1999)	X	
158	DRES 011375–DRES 011376	Letter from Craig Hartsell to Ken Taylor (Oct. 20, 1999)	X	
159	DRES 011377–DRES 011378	Letter from Ken Taylor to Hal Hartsell (Apr. 1, 1999)	X	
160	TCVA00000160–TCVA00000160	Letter from Ken Taylor to Peter Jackson (Feb. 10, 2000)	X	
161	TCVA00000173–TCVA00000174	Email from William Peoples to Sam Wakim (Oct. 29, 1999)	X	
162	FISH 00004562–FISH 00005061	TC 1994-2004 Sales Data.xls	X	
163	VF_0005399–VF_0005399	Chart	X	
164	Expert Report of Carla Mulhern (7/16/10), at 8–9 nn.19–21	http://bereskinparr.com/ENG/OurStory/introduction/aboutint_1.html		X
165	Expert Report of Carla Mulhern (7/16/10), at 9 n.22	http://bereskinparr.com/ENG/People/bios/SamuelFrost.html		X
166	Expert Report of Carla Mulhern (7/16/10), at 10 n.30	http://www.dresserwayne.com/index.cfm/go/about-us/		X
167	Expert Report of Carla Mulhern (7/16/10), at 9 n.29	http://www.dresserwayne.com/index.cfm/go/content-detail/dresserpage/History/		X
168	Expert Report of Carla Mulhern (7/16/10), at 9–10 nn.29–30	Dresser Wayne, Hoover's Inc., March 29, 2010		X

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			Expect	If Need Arises
169	Expert Report of Carla Mulhern (7/16/10), at 18 n.69, 20 n.74	Robert F. Reilly and Robert P. Schweihs, Valuing Intangible Assets, 95-202 (1999)		X
170	Expert Report of Carla Mulhern (7/16/10), at 8 n.14, 26 n.95	Telent plc, SEC Form 20-F/A for the fiscal year ended March 31, 2005		X
171	Expert Report of Carla Mulhern (7/16/10), Ex. 3	U.S. Treasury securities at 1-year constant maturity from http://www.federalreserve.gov/releases/h15/data.htm		X
172	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 1997		X
173	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 1998		X
174	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 1999		X
175	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 2000		X
176	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 2001		X
177	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 2002		X
178	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 2003		X
179	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 2004		X
180	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 2005		X
181	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 2006		X
182	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 2007		X
183	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 2008		X
184	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates field descriptions		X
185	Expert Report of Carla Mulhern (7/16/10), Ex. 4	National OES Estimates 2009		X
186	Expert Report of Carla Mulhern (7/16/10), at 22 n.82	Producer Price Industry Data, PCU33441333441312		X

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187	Expert Report of Carla Mulhern (7/16/10), Ex. 4	ECEC 1986–2001		X
188	Expert Report of Carla Mulhern (7/16/10), Ex. 4	ECEC 2002–2003		X
189	Expert Report of Carla Mulhern (7/16/10), Ex. 4	ECEC 2004–2010		X
190	Martinez deposition exhibit 2	Harmony Series Dispensers Parts Manual	X	
191	Martinez deposition exhibit 3	Ovation Series Dispensers Parts Manual	X	
192	Martinez deposition exhibit 5	3/Vista Series (iGEM) Blending and Non-Blending Dispensers		X
193	Martinez deposition exhibit 6	iGEM Dispenser Wiring Diagram	X	
194	Martinez deposition exhibit 8	Ovation Series Dispensers Service Manual		X
195	Martinez deposition exhibit 9	Ovation Product Information		X
196	Martinez deposition exhibit 12	Nucleus XP Service Manual	X	
197	Martinez deposition exhibit 13	Operation Manual ExxonMobil Oil Company Software Release 3.5x		X
198	Martinez deposition exhibit 15	US Current Loop Protocol Duplex and iGEM Dispensers	X	
199	Yienger deposition exhibit 7	Ruby Supersystem – CITGO Sales Reference		X
200	Yienger deposition exhibit 8	Ruby Supersystem – CITGO Manager Reference		X
201	Yienger deposition exhibit 9	Topaz User Guide		X
202	Yienger deposition exhibit 10	Dispenser & DCR Interfaces		X
203	Olsson deposition exhibit 3	Nucleus Historical Performance		X
204	Olsson deposition exhibit 5	Dresser Wayne Division – US Operations Market Share Rolling Averages 1992-2001		X
205	Olsson deposition exhibit 7A	Sales Data		X

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206	Olsson deposition exhibit 10	Dresser's US Market Share for Nucleus POS Systems used with fuel dispensers		X
207	Olsson deposition exhibit 11	Dresser Wayne Nucleus Point-of-Sale System Surpasses 11,000th Installation		X
208	D2047-D2154	Installation Operation Manual for 3/Vista Series		X
209	Expert Report of Ronald Santicola	Brochure for Vista Series Fuel Dispensers	X	
210	Expert Report of Ronald Santicola	Brochure for Nucleus Point-of-Sale System	X	
211	Santicola Supplemental Expert Report – Ex. 2	Ruby Sales Sheet		X
212	Supplemental Expert Report of Ronald Santicola – Ex. 3	Topaz Solutions Sales Sheet		X
213	Supplemental Expert Report of Ronald Santicola – Ex. 4	Sapphire Sales Sheet		X
214	VF0004354-VF0004851	Ruby System Manager Reference	X	
215	VF0005025-VF0005260	Ruby System Sales Reference	X	
216	D19289-D19315	Dresser Current Loop Protocol	X	
217	D600770-D600825	Nucleus CHS Sequencing Design	X	
218	TCVA_DRCODE_000005- TCVA_DRCODE_000173	Dresser Source Code	X	
219	TCVA_DRCODE_000284- TCVA_DRCODE_000401	Dresser Source Code	X	
220	TCVA_DRCODE_000406- TCVA_DRCODE_000413	Dresser Source Code	X	
221	TCVA_DRCODE_000428- TCVA_DRCODE_000465	Dresser Source Code	X	

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			Expect	If Need Arises
222	TCVA_DRCODE_000467– TCVA_DRCODE_000479	Dresser Source Code	X	
223	TCVA_DRCODE_000507– TCVA_DRCODE_000662	Dresser Source Code	X	
224	TCVA_DRCODE_000683– TCVA_DRCODE_000779	Dresser Source Code	X	
225	TCVA_DRCODE_000781– TCVA_DRCODE_000823	Dresser Source Code	X	
226	TCVA_DRCODE_000826– TCVA_DRCODE_000832	Dresser Source Code	X	
227	TCVA_DRCODE_000838– TCVA_DRCODE_000859	Dresser Source Code	X	
228	TCVA_DRCODE_000900– TCVA_DRCODE_000914	Dresser Source Code	X	
229	TCVA_DRCODE_001080– TCVA_DRCODE_001136	Dresser Source Code	X	
230	TCVA_DRCODE_001167– TCVA_DRCODE_001181	Dresser Source Code	X	
231	TCVA_DRCODE_001185– TCVA_DRCODE_001235	Dresser Source Code	X	

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			Expect	If Need Arises
232	TCVA_DRCODE_001146– TCVA_DRCODE_001147	Dresser Source Code	X	
233	VF0000001–VF0000011	Verifone ISD Software Release Notes	X	
234	Cited in Grimes’s Rebuttal Report on Invalidity	U.S. Patent No. 4,107,777	X	
235	Cited in Grimes’s Rebuttal Report on Invalidity	U.S. Patent No. 4,395,627	X	
236	Cited in Grimes’s Rebuttal Report on Invalidity	U.S. Patent No. 4,199,100	X	
237	Cited in Grimes’s Rebuttal Report on Invalidity	U.S. Patent No. 4,630,754	X	
238	Appendix A to Grimes’s Rebuttal Report on Invalidity	CV of Dr. Jack Grimes	X	
239	Exhibit 1 to Grimes’s Rebuttal Report on Invalidity	“Real-Time Design Patterns: Robust Scalable Architecture for Real-Time Systems,” by Bruch Douglass	X	
240	D000496–D000538	Nucleus Overview	X	
241	D000350–D000410	CHS Nucleus	X	
242	BP_SC0000308– BP_SC0000474	CAT Code for Dresser	X	
243	BP_SC0000149– BP_SC0000182	iGEM Code for Dresser	X	
244	BP_SC0000581– BP_SC0000723	iGEM Code for Dresser	X	
245	BP_SC0000835– BP_SC0000995	iGEM Code for Dresser	X	
246	BP_SC0000485– BP_SC0000579	Nucleus Code for Dresser	X	
247	VF_0001908– VF_0002196	Ruby Supersystem Sales Reference	X	
248	VF_0003044– VF_0003331	Ruby Supersystem Sales Reference	X	

No.	Previous Designation	Description	Offer	
			Expect	If Need Arises
249	VF_0005025– VF_0005260	Ruby Supersystem Sales Reference	X	
250	VF_0004052– VF_0004264	Ruby Supersystem Sales Reference	X	
251	VERIFONE_SC_0000047 5– VERIFONE_SC_0000047 6	Verifone Source Code	X	
252	TCVA_VFCODE_001043 – TCVA_VFCODE_001051	Verifone Source Code	X	
253	TCVA_VFCODE_000251	Verifone Source Code	X	
254	TCVA_VFCODE_000246 – TCVA_VFCODE_000254	Verifone Source Code	X	
255	DI15919–DI15933	Ellard deposition exhibit 2	X	
256		Exhibit 3 to Mulhern Report	X	
257		Exhibit 4 to Mulhern Report	X	
258		Exhibit 5 to Mulhern Report	X	
259		Exhibit 6 to Mulhern Report	X	
260		Exhibit 7 to Mulhern Report	X	
261		Exhibit 8 to Mulhern Report	X	
262		Exhibit 9 to Mulhern Report	X	
263		Exhibit 10 to Mulhern Report	X	
264		Exhibit 11 to Mulhern Report	X	

No.	Previous Designation	Description	Offer	
			Expect	If Need Arises
265		Original file copies of documents produced as BP_000069–BP_007897 and BP_009728–BP_012114	X	
266	TOC 20439	Disk showing code created by Steven Bond		X
267		Dresser Systems source code for the Nucleus Base Version “N0922S” and Nucleus Application Version CHOI16D		X

B&P has not listed its experts’ reports as exhibits because it believes they are inadmissible as hearsay. If, however, Touchcom Technologies, Inc. offers its experts’ reports and the Court accepts them over B&P’s objection, B&P reserves the right to supplement its exhibit list by adding the following expert reports:

1. Expert Report of Jack D. Grimes, Ph.D. on the Invalidity of U.S. Patent No. 5,027,282 (June 25, 2010).
2. Rebuttal Expert Report of Jack D. Grimes, Ph.D. on the Invalidity of U.S. Patent No. 5,027,282 (July 16, 2010).
3. Rebuttal Expert Report of Jack D. Grimes, Ph.D. on the Non-Infringement of U.S. Patent No. 5,027,282 (July 16, 2010).
4. Second Rebuttal Expert Report of Jack D. Grimes, Ph.D. on the Non-Infringement of U.S. Patent No. 5,027,282 (July 28, 2010).
5. Third Rebuttal Expert Report of Jack D. Grimes, Ph.D. on the Non-Infringement of U.S. Patent No. 5,027,282 (August 11, 2010).
6. Expert Report of Carla S. Mulhern (July 16, 2010).
7. Report of Paul M. Janicke (July 15, 2010).
8. Expert Report of Rollie White Regarding Market Analysis Related to Fuel Dispensers and U.S. Patent No. 5,027,282 (July 16, 2010).

Dated: August 17, 2011

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